

Mail Stop Interference
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Paper 1
Filed: April 11, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

C. DOUGLASS THOMAS and ALAN E. THOMAS
Junior Party
(Patent 5,752,011),

v.

JACK D. PIPPIN
Senior Party
(Application 10/464,482).

Patent Interference No. 105,801 (JL)
(Technology Center 2100)

DECLARATION – Bd.R. 203(b)¹

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 Part A. Declaration of interference

2 An interference is declared (35 U.S.C. § 135(a)) between the above-

3 identified parties. Details of the application(s), patent (if any), reissue

4 application (if any), count(s) and claims designated as corresponding or as

5 not corresponding to the count(s) appear in Parts E and F of this

6 DECLARATION.

7 Part B. Judge managing the interference

8 Administrative Patent Judge Jameson Lee has been designated to

9 manage the interference. Bd. R. 104(a).

10 Part C. Standing order

11 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies

12 this DECLARATION. The STANDING ORDER applies to this

13 interference.

14 Part D. Initial conference call

15 A telephone conference call to discuss the interference is set for 2:00

16 p.m. on May 24, 2011 (the Board will initiate the call).

17 No later than four business days prior to the conference call, each

18 party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R.

19 120; Bd. R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

1 A sample schedule for taking action during the motion phase appears
2 as Form 2 in the STANDING ORDER. Counsel is encouraged to discuss the
3 schedule prior to the conference call and to agree on dates for taking action.
4 A typical motion period lasts approximately eight (8) months. Counsel
5 should be prepared to justify any request for a shorter or longer period.

6 Part E. Identification and order of the parties

7

8 Junior Party

9 Named Inventors: C. DOUGLASS THOMAS, Campbell, California
10

11 ALAN E. THOMAS, Ocean City, New Jersey

12

13 Involved Patent: 5,752,011, issued May 12, 1998, based on
14 Application 08/262,754, filed June 20, 1994

15

16 Title: Method and system for controlling a processor's
17 clock frequency in accordance with the processor's
18 temperature

19

20

21 Senior Party

22

23 Named Inventor: JACK D. PIPPIN, Portland, Oregon

24

25 Involved Application: 10/464,482, filed June 19, 2003

26

27 Title: Method and apparatus for programmable thermal
28 sensor for an integrated circuit

29

30 Assignee: None

31

32

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 2.1. The senior party is responsible for initiating settlement discussions. ¶ 126.1.

Part F. Count and claims of the parties

Count 1

Thomas' Claim 6

or

Pippin's Claim 34

10 The claims of the parties which correspond to Count 1 are:

11 Thomas: 1-32

12 Pippin: 34

13 The claims of the parties which do not correspond to Count 1 and
14 therefore are not involved in the interference, are:

15 Thomas: None

16 Pippin: None

17 The parties are accorded the following benefit for Count 1:

18 Thomas: None

20 Pippin: Application 08/636,024, filed April 19, 1996,
21 now Patent 7,216,064; Application
22 08/401,473, filed March 9, 1995; Application
23 08/124,980, filed September 21, 1993

1 Part G. Heading to be used on papers

2

3 The following heading must be used on all papers filed in this
4 interference, see SO ¶ 106.1.1:

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Part H. Order form for requesting file copies

3 When requesting copies of files, use of SO Form 4 will greatly

4 expedite processing of the request. Please attach a copy of Parts E and F of

5 this DECLARATION with a hand-drawn circle around the patents and

6 applications for which a copy of a file wrapper is requested.

7

/ss/ Jameson Lee
Administrative Patent Judge

Enc.

Copy of STANDING ORDER

Revised 3 January 2006

cc (via overnight delivery):

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